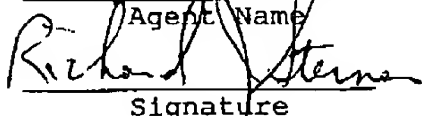


## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Desousa, et al.  
Serial No. : 09/341,196 Examiner: G. Gabel  
Filed : July 6, 1999 Group Art Unit: 1641  
For : SCINTILLATION PROXIMITY ASSAY FOR THE  
DETECTION OF PEPTIDOGLYCAN SYNTHESIS

I hereby certify that this paper is being  
facsimile transmitted to The U.S. Patent  
and Trademark Office, Alexandria, VA  
22313-1450, on July 12, 2004.

<u>Richard J. Sterner</u>	<u>35,372</u>
Agent Name	PTO Reg. No.
	<u>July 12, 2004</u>
Signature	Date of Signature

Attn: Examiner G. Gabel

Art Unit: 1641

Facsimile No.: 703-872-9306

No. of pages: 2

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF**  
**PATENT APPEALS AND INTERFERENCES**

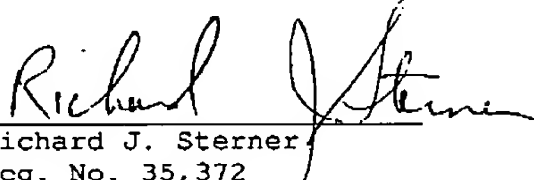
Sir:

Applicants hereby appeal to the Board of Patent Appeals and  
Interferences from the decision dated January 12, 2004 of the  
Primary Examiner finally rejecting claims 2-9. The Commissioner

is hereby authorized to charge the \$330 fee required for filing  
a Notice of Appeal to Deposit Account No. 23-1703. Any  
additional fees which may be required for any reason may  
likewise be charged.

Dated: July 12, 2004

Respectfully submitted,

  
Richard J. Sterner  
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